

BOARD OF COMMISSIONERS**COUNTY OF SCOTT****JANUARY 21, 2020**

(1) The Board of Commissioners, in and for the County of Scott, Minnesota, met in the Courthouse Board Room in the City of Shakopee, Minnesota, and convened at 9:00 a.m., with the following members present: Commissioner Beer, presiding, Commissioner Weckman Brekke, Commissioner Wolf, and Commissioner Ulrich. Commissioner Beard was absent

(2) County Staff Present:

- A. Lezlie Vermillion, County Administrator
- B. Ron Hocevar, County Attorney
- C. Chris Harder, Quality Improvement Manager
- D. Tony Winiiecki, County Engineer
- E. Mark Callahan, Highway Division Program Manager
- F. Alan Herrmann, Transit Supervisor
- G. Joe Wiita, Highway Division Program Manager
- H. Ken Dvorak, Sheriff's Sergeant
- I. Troy Pint, Business Information/System Specialist
- J. Jen Schwarz, Administrative Services Director
- K. Evan Cole, Management Analyst
- L. Jake Grussing, Library Director
- M. Kris Lage, Operations Analyst
- N. Cindy Geis, Community Services Director
- O. Mary Keen, Business Information/System Specialist
- P. Troy Beam, Transit and Fleet Manager
- Q. Perry Mulcrone, Business Relationship Director
- R. Craig Jenson, Transportation Planning Manager
- S. Lisa Brodsky, Public Health Director
- T. Jessie Rudi, Data and Research Analyst
- U. Pam Selvig, Health and Human Services Director
- V. Lisa Freese, Transportation Services Director
- W. Gary Bruggenthies, Business Manager
- X. Nathan Abney, Associate Planner
- Y. Jake Balk, Highway Division Program Manager
- Z. Tulsa Crum, Construction Supervisor
- AA. Claire Robling, Legislative and Communications Coordinator
- AB. Danny Lenz, Chief Financial Officer/Deputy County Administrator
- AC. Scott Rettke, Assistant Jail Administrator
- AD. Doug Schnurr, Sheriff's Captain
- AE. Sara Deppe, Communications and Office Coordinator
- AF. Jeff Swedin, Sheriff's Captain
- AG. Nathan Olson, Sheriff's Deputy
- AH. Luke Hennen, Sheriff
- AI. Debra Brazil, Deputy Clerk to the Board

(3) Guests Present:

- A. Tara Helm, Minnesota Department of Transportation
- B. Tom Terry, Elko New Market
- C. John Myser

January 21, 2020

(4) Minutes:

On a motion by Commissioner Wolf, seconded by Commissioner Ulrich, the Minutes of January 4, 2020 were approved on a vote of four ayes with Commissioner Beard absent.

(5) Recognition of Interested Citizens:

John Myser spoke of his perception of deceit and lies in the justice system relative to his divorce and losing custody of his son. He stated he is attempting to make a public record of his case.

(6) Innovation: We will take informed risks to deliver services more effectively and will learn from our successes and failures:

The County Board participated in the Scott County Delivers panel discussion regarding safe transportation.

Commissioner Ulrich requested the Commissioners be informed of any transportation projects where partners are not willing participants.

Chair Beer recessed the meeting at 10:35 a.m. and reconvened at 10:42 a.m.

(7) Consent Agenda:

A. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-010; Authorizing Final Payment to Meyer Contracting, Inc. in the Amount of \$1,000 for the County Highway 16 Pedestrian Crossing Project. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

B. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-011; Authorizing Entering Into a Cooperative Agreement With the City of Prior Lake for Cost Participation on County Project 42-19 in the City of Prior Lake. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

C. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-012; Accepting Grant Funding and Authorizing the County Board Chair to Execute a Parks Acquisition Opportunity Fund Grant Agreement With the Metropolitan Council and Execute an Agreement and Restrictive Covenant on Property Acquired by the County for Regional Park Land. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

D. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-013; Approving a Second Amendment to the Agreement With the City of Prior Lake for Participation in the Trunk Highway 169 Transitway Study and the City's Downtown Transit Improvements. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

January 21, 2020

E. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No 2020-014; Authorizing Entering Into a Cooperative Agreement With the City of Shakopee for Cost Participation on County Project 42-19 in the City of Shakopee. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

F. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-016; Authorizing Entering Into a Financing Agreement With Mercedes-Benz Financial Services for the Lease Purchase of Vehicles From Daimler Truck and Approving an Increase of \$42,087.44 From Resolution No. 2018-170 for the Advanced Replacement of Two International Plow Trucks. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

G. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the record of disbursements and approve the claims made to Scott County from December 1, 2019 through December 31, 2019 in the amount of \$71,787,617.87. The motion carried on a vote of four ayes with Commissioner Beard absent.

H. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the Renewal Application for a Scott County 3.2 Malt Liquor at Retail License for 2020 for Erik Lundgren dba Parish of Saints Joachim and Anne. The motion carried on a vote of four ayes with Commissioner Beard absent.

I. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the Application and Permit for a Temporary On-Sale Liquor License for the Shakopee Lions Club for an event to be held at the Jackson Town Hall Park in Jackson Township on February 8, 2020. The motion carried on a vote of four ayes with Commissioner Beard absent.

J. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the addition of one full-time off-levy Building Inspector position in Property and Taxation Services. The motion carried on a vote of four ayes with Commissioner Beard absent.

K. Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to adopt Resolution No. 2020-017; Approving a Three-Year Agreement Between the County of Scott and the Scott County Attorneys Association Effective January 1, 2020 Through December 31, 2022 and Rescinding Resolution No. 2017-019. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

L. On the recommendation of the County Administrator, Commissioner Weckman Brekke moved, seconded by Commissioner Wolf to approve the payroll processing of personnel actions indicated below and certified by the Employee Relations Director and the Appointing Authority to be in compliance with provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Merit Personnel System:

1. Separation of employment for Heather Pierson, FT Facility Probation Officer, Health and Human Services Division, effective 01/05/20.
2. Separation of employment for Nancy Sjoberg, Intermittent (34% FTE) Office Assistant-Unclassified, Office of Management & Budget, effective 12/31/19.
3. FT Probationary employment for Kelly Wilkinson, Therapist, Health and Human Services Division, effective 01/06/20.

January 21, 2020

4. FT Probationary employment for Lilliam Pinero, Community Planner, Health and Human Services Division, effective 01/13/20.
5. FT Probationary employment for Zachary Jamer, Corrections Officer, Sheriff's Office, effective 01/06/20.
6. FT Temporary employment for Taylor Hanson, Case Aide-Unclassified, Health and Human Services Division, effective 12/31/19.
7. FT Temporary employment for Roselyn Menke, Office Assistant-Unclassified, Community Services Division, effective 01/17/20.
8. Intermittent (34% FTE) employment for Karen Cavalli, Library Associate-Unclassified, Administration Division, effective 01/21/20.
9. Amend separation date of employment for Ayman Sabry, FT Probationary Therapist, Health and Human Services Division, effective 01/03/20 (previously reported as 12/23/19).
10. Reclassification for Richard Jones, FT Environmentalist II to FT Environmentalist Health Program Coordinator, Planning & Resource Management Division, effective 01/01/20.
11. Change in status from for Patrick Russell, FT Temporary to PT Temporary (50% FTE) Eligibility Specialist-Unclassified, Health and Human Services Division, effective 01/17/20.
12. The recognition of the following individuals as volunteers which will enable them to be covered for liability insurance purposes in accordance with the insurance contracts currently in force with Scott County: Jack Bruckner, Samantha Anthony, Lori Peterson, Izabel Stephanie, and Mark Petersen.

The motion carried on a vote of four ayes with Commissioner Beard absent.

- (8) We will work with partners - communities, schools, faith groups, private business, and non-profit agencies - to see that services are not duplicated but rather are complimentary, aligned, and provided by the partners who can deliver the service

A. Sheriff Luke Hennen presented the Morris A. Miller Outstanding Service Award to Scott County Sheriff's Deputy Nathan Olson for his response to a medical emergency on August 25, 2019. Sheriff Hennen reported he will also be presenting the award to Savage Police Officers Robert Calvin, Todd Weinzierl, and Jacqueline Kelch at an upcoming Savage City Council meeting for their response to the same incident.

B. Commissioner moved, seconded by Commissioner to adopt Resolution No. 2020-018; Declaring Monday, January 27, 2020 as Charlie Vig Day in Scott County. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

C. Legislative and Communications Coordinator Claire Robling presented the proposed 2020 Scott County Legislative Platform which had been discussed at County Board workshops. The Platform includes the following priorities.

Policy and Bonding

- Support the increase in State Deputy Registrar fees for transactions to cover all costs for the services now being performed at local offices.
- Support the ability to allow local governments that issue utility permits to collect a fee/cost share from the permitted Utility Companies to fund relocation of the utility as part of highway and street construction projects.
- Support the Reform of the Metropolitan Council governance structure so it follows the principles established by the Metropolitan Governance Reform Initiative.
- Support legislation for Manufacturers of E-Waste (Electronics) to pay for its disposal. (model after current Paint Care Disposal legislation).

January 21, 2020

- Support not allowing defendant's charged with Third Degree DUI to post maximum bail in order to avoid having pre-trial release conditions placed on them such as no use of alcohol and non-prescribed drugs, testing, and other conditions as deemed appropriate by the court.
- Support \$15 million bonding request for Metro Parks.
- Support funding of the DNR Hazard Mitigation Grant Fund for flood damage mitigation. McMahan Lake Outlet Project -- Support \$1.1 million in State general obligation bonds for a proposed flood improvement project to control lake levels to protect infrastructure of roads, homes and septic systems and the recently improved water quality of the lake. The McMahan Lake Outlet consists of installing a permanent water level control structure at one of the locations identified in the feasibility study completed in May 2019 by WSB.
- Support local road funds for the following projects: County Road 42; Highway 13 and Dakota Ave. in Savage; and the intersection of State Highways 169/282 and County Road 9 in Jordan.

Local Capital Investment Bonding Projects

- Merriam Junction Trail – Support \$9 million in State general obligation funds for an accessible pedestrian and bicycle link across the Minnesota River Valley. Total cost of the project is \$14.876, requiring a 40 percent local contribution of \$5.83 million, most of which could be available through other regional funds.
- Dakota Scott Household Hazardous Waste Facility – Support the proper management of household hazardous waste and other problem materials through a \$10.26 million bonding proposal for a household hazardous waste collection facility strategically located to serve residents of Dakota and Scott counties.
- Savage Library Extended Access Project – Support \$59,000 in State general obligation funds for building infrastructure modifications to the existing library space to secure staff area and resources in the Savage Public Library. This infrastructure will prepare the space for implementation of an “open library” model, which offers residents unstaffed access to library facilities and resources.

Program Funding

- Maintain the current formula for the distribution of the motor vehicle lease sales tax (MVLST) that supports Greater MN transit (38%); County State Aid Highway (CSAH) to five metro counties, including Scott, Carver, Anoka, Washington, and Dakota (38%); Highway User Distribution Fund (11%); and the MN Transportation Fund (local bridges (13%).
- Provide a supplemental budget appropriation of 4% for each year of the current biennium to Community Corrections Act counties to address the state's share of their operating budget.
- Retain the Legacy fund allocation formula for parks and trails - Currently, the allocation of Legacy funds are dispersed: 40% for Metro Parks; 40% for DNR; and 20% for Greater MN regional parks. We request no change in this formula.
- Support increased mental health infrastructure funding for the full continuum of care including mobile crises, adult mental health initiative funding and funding for law enforcement and mental health dual response.
- Support expanded Housing Support Demonstration to allow for metro-wide access to Housing Support Demonstration units and increase the total capacity to serve additional people experiencing homelessness in the region.

Scott County Association for Leadership and Efficiency (SCALE), Minnesota Inter-County Association (MICA), and Association of Minnesota Counties (AMC) Led Initiatives

- Legislative authority to assess street infrastructure fees that improve safety and capacity for new development.

January 21, 2020

- County Supports state funding to reimburse the federal government for any DHS payment and billing miscalculations.
- Support pursuing investments for generating wetland banking credits to be available for use by counties for local road projects.
- Support a bonding bill for the Local Bridge Replacement Program.

Items from the 2019 Platform that were not acted on will be reviewed by the Board Chair and Vice Chair, acting as the Legislative Committee, and added to the Platform as appropriate.

Following discussion, the Commissioners requested the priority regarding e-waste be amended as follows:

- Support a statewide solution to cover expenses associated with the disposal of e-waste.

Commissioner Ulrich moved, seconded by Commissioner Wolf to adopt the 2020 Scott County Legislative Platform as amended. The motion carried on a vote of four ayes with Commissioner Beard absent.

D. Chief Financial Officer/Deputy County Administrator Danny Lenz requested approval of the execution of an amended and restated Joint Powers Agreement (JPA) with the Scott County Community Development Agency (CDA), a revised Lease Agreement, and an Interfund Loan Repayment Agreement related to the residential mental health treatment facility in the City of Savage. Mr. Lenz reported the following:

- The changes to the JPA were technical in nature, not substantive.
- The Lease Agreement is between Guild and the CDA. However, the Minnesota Management and Budget office is requiring the County to acknowledge the Lease through official action.
- The Interfund Loan Agreement is necessary in order for Guild to continue to make rent payments on the facility beyond the general maintenance costs.

Commissioner Wolf moved, seconded by Commissioner Ulrich to adopt Resolution No. 2020-019; Approving the Execution of an Amended and Restated Joint Powers Agreement With the Scott County Community Development Agency, a Revised Lease Agreement, and an Interfund Loan Repayment Agreement Related to a Residential Mental Health Treatment Facility in the City of Savage and taking Other actions in Connection Therewith. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried on a vote of four ayes with Commissioner Beard absent.

(9) Committee Reports and Commissioner Updates:

A. Commissioner Weckman Brekke initiated a discussion on the hazardous conditions on Trunk Highway (TH) 169 from Marschall Road to the Bloomington Ferry Bridge. County staff has requested the Minnesota Department of Transportation (MnDOT) review the safety issues; however, at this point, MnDOT has not come forward with a solution. Staff was requested to bring back recommendations as to how the Commissioners can advocate for action on this portion of TH 169.

B. Commissioner Weckman Brekke explained the reasoning behind the County Board's decision to oppose paying back the overpayment received by the County from the Minnesota Department of Human Services.

C. The Commissioners all attended the County Board workshop on January 7.

D. Commissioner Weckman Brekke attended the Scott County Historical Society Board meeting on January 8.

E. Commissioners Weckman Brekke, Ulrich, and Beer attended the Families and Individuals Sharing Hope (FISH) meeting on January 9.

January 21, 2020

- F. Commissioner Weckman Brekke and County staff attended the St. Lawrence Town Board and Louisville Town Board meetings on January 9 to answer questions regarding the proposed Public Health Nuisance Ordinance.
- G. Commissioners Weckman Brekke, Ulrich, and Beer attended the Scott County Association for Leadership and Efficiency (SCALE) meeting on January 10.
- H. Commissioners Weckman Brekke and Beer and County Administrator Lezlie Vermillion met with the Shakopee Mayor and City Administrator on February 13.
- I. Commissioner Weckman Brekke and Ms. Vermillion met with the Belle Plaine Mayor and City Administrator on January 14.
- J. Commissioner Weckman Brekke met with Ms. Vermillion on January 14.
- K. Commissioner Weckman Brekke participated in the presentation of a Spirit of Scott Award at the New Prague Library on January 15.
- L. Commissioner Weckman Brekke attended a meeting with Townships on January 15 regarding proposed ordinance changes.
- M. Commissioner Weckman Brekke attended the Metropolitan Library Service Agency meeting on January 16.
- N. Commissioners Weckman Brekke and Wolf attended the Minnesota Inter-County Association conference on January 16.
- O. Commissioner Weckman Brekke attended the Dakota-Scott Workforce Development Board meeting on January 17.
- P. Commissioner Weckman Brekke met with the Scott County Health and Human Services Director on January 21.
- Q. Commissioner Wolf attended the New Market Town Board meeting on January 7.
- R. Commissioners Wolf and Beer attended the Metropolitan Emergency Services Board meeting on January 8.
- S. Commissioner Wolf attended the I35W Solutions Alliance meeting on January 9 and was elected Vice Chair.
- T. Commissioner Wolf attended the Metropolitan Mosquito Control District annual meeting on January 9.
- U. Commissioner Wolf attended the New Prague-Helena Township Orderly Annexation Board meeting on January 9.
- V. Commissioner Wolf attended the Elko New Market City Council meeting on January 9.
- W. Commissioner Wolf attended the Scott County Planning Advisory Committee meeting on January 13.
- X. Commissioners Wolf and Beer attended the Prior Lake-Spring Lake Watershed District Board of Managers meeting on January 14.
- Y. Commissioner Wolf attended the Scott County Employee Insurance Committee meeting on January 15.
- Z. Commissioner Wolf met with Scott County Highway staff on January 17.
- AA. Commissioner Wolf commented on the number of posts on social media and the number of calls Commissioners are receiving regarding the refugee relocation program.
- AB. Commissioner Ulrich attended the Suburban Transit Association Board meeting on January 13.
- AC. Commissioner Ulrich attended the Metropolitan Council Transportation Advisory Board (TAB) preparation meeting on January 14.
- AD. Commissioner Ulrich attended the Scott County Community Development Agency Board meeting on January 14.
- AE. Commissioner Ulrich attended the Metropolitan Council TAB meeting on January 15.
- AF. Commissioner Ulrich attended the Greater MSP meeting on January 16.
- AG. Commissioner Ulrich participated in Future Leaders of Scott County school presentations on January 16.

January 21, 2020

AH. Commissioner Beer met with Ms. Vermillion on January 7.

AI. Commissioner Beer attended the FISH Board meeting on January 9.

(10) County Administrator Update:

- Absentee voting is now available. Residents of the Cities of Shakopee, Savage, Prior Lake, and Jordan can vote at their respective City Halls. All other Scott County residents can vote at the Scott County Public Works Facility.
- The County Board will hold a workshop on Monday, January 27, at 5:30 p.m. with the Elko New Market City Council, the New Market Town Board, and the Scott County Community Development Agency Board is to discuss infrastructure improvements.
- The County Board will hold a workshop on Tuesday, February 4, at 8:00 a.m. with the Minnesota Department of Human Services to receive information on the refugee relocation program.

Chair Beer announced that following the meeting the County Board will meet in a workshop setting to receive information on the Merriam Junction Sands Environmental Impact Statement, the new building construction, and executed new building construction contracts.

On a motion by Commissioner Wolf, seconded by Commissioner Ulrich, the meeting adjourned at 11:44 a.m.

David Beer
Chair

Lezlie A. Vermillion
County Administrator
Clerk of the Board

Debra K. Brazil
Deputy Clerk to the Board